

**SMOGER & ASSOCIATES**

Gerson H. Smoger (SBN 79196)  
[gersonsmoger@gmail.com](mailto:gersonsmoger@gmail.com)  
 Steven M. Bronson (SBN 246751)  
[steven.bronson@gmail.com](mailto:steven.bronson@gmail.com)  
 Mark T. Baller (SBN 261331)  
[markballer@gmail.com](mailto:markballer@gmail.com)  
 3175 Monterey Blvd  
 Oakland, CA, 94602-3560  
 Phone: (510) 531-4529  
 Fax: (510) 531-4377

**SEEGER WEISS LLP**

Jonathan Shub (SBN 237708)  
[jshub@seegerweiss.com](mailto:jshub@seegerweiss.com)  
 Miriam L. Schimmel (SBN 185089)  
[mschimmel@seegerweiss.com](mailto:mschimmel@seegerweiss.com)  
 1515 Market Street, Suite 1380  
 Philadelphia, PA 19107  
 Phone: (215) 564-2300  
 Fax: (215) 851-8029

**ARBOGAST & BERNS LLP**

David M. Arbogast (SBN 167571)  
[darbogast@law111.com](mailto:darbogast@law111.com)  
 Jeffrey K. Berns, Esq. (SBN 131351)  
[jberns@law111.com](mailto:jberns@law111.com)  
 19510 Ventura Boulevard, Suite 200  
 Tarzana, California 91356  
 Phone: (818) 961-2000  
 Fax: (818) 654-5988

Attorneys for Plaintiffs and all others Similarly Situated

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

DOROTHY PERALTA, STEVEN S.  
 BIGVERDI and JAMES MOSCOSO, on behalf  
 of themselves and others similarly situated,

Plaintiffs,

v.

COUNTRYWIDE HOME LOANS, INC. f/k/a  
 AMERICAS WHOLESALE LENDER,  
 COUNTRYWIDE HOME LOANS, INC., and  
 COUNTRYWIDE BANK, FSB; and DOES 1  
 through 200, inclusive,

Defendants.

**CASE NO. 3:09-cv-03288-PJH**

**CLASS ACTION**

**STIPULATION AND [PROPOSED] ORDER  
 RE CONTINUING HEARING AND  
 BRIEFING DATES RE PLAINTIFFS  
 MOTION TO REMAND ACTION BACK TO  
 STATE COURT**

Complaint filed: June 2, 2009  
 Removal filed: July 17, 2009

**STIPULATION**

WHEREAS, on June 2, 2009, Plaintiffs, DOROTHY PERALTA, STEVEN S. BIGVERDI and JAMES MOSCOSO ("Plaintiffs"), filed their class action complaint in the Superior Court of California, Alameda County;

WHEREAS, on July 17, 2009, Defendants, COUNTRYWIDE HOME LOANS, INC. f/k/a AMERICAS WHOLESALE LENDER, COUNTRYWIDE HOME LOANS, INC., and COUNTRYWIDE BANK, FSB ("Defendants"), filed their removal to the United States District Court, Northern District of California;

WHEREAS, on August 12, 2009, Plaintiffs filed their motion for remand for hearing on September 16, 2009 before United States Magistrate Judge, James Larson;

WHEREAS, on that same day, August 12, 2009, Defendants filed their Declination to Proceed Before a Magistrate Judge and Request for Reassignment to a United States District Judge;

WHEREAS, on August 14, 2009, Plaintiffs filed their Amended Notice of Motion to Remand for hearing on September 16, 2009 before this Court;

WHEREAS, on that same date, August 14, 2009, counsel for Defendants requested to move the hearing date on Plaintiffs motion for remand; and

WHEREAS, counsel for Defendants and counsel for Plaintiffs have agreed to continue the hearing date and modify the briefing schedule as follows.

IT IS THEREFORE STIPULATED by and between Defendants and Plaintiffs that, should the Court's schedule permit, the hearing on Plaintiffs motion for remand set for September 16, 2009 be continued to October 21, 2009. Defendants opposition shall now be due on September 16, 2009 and Plaintiffs reply shall be due on October 7, 2009.

IT IS SO STIPULATED:

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1 DATED: August 18, 2009

Respectfully submitted,  
DOROTHY PERALTA, STEVEN S. BIGVERDI  
and JAMES MOSCOSO

By their attorneys,

/s/ David M. Arbogast  
David M. Arbogast, Esq.  
**ARBOGAST & BERNIS LLP**  
19510 Ventura Blvd., Suite 200  
Tarzana, CA 91356  
Phone: (818) 961-2000  
Fax: (818) 867-4820

*Attorneys for Plaintiff*

9 DATED: August 18, 2009

COUNTRYWIDE HOME LOANS, INC. f/k/a  
AMERICAS WHOLESALE LENDER,  
COUNTRYWIDE HOME LOANS, INC., and  
COUNTRYWIDE BANK, FSB

By their attorneys,

/s/ Brooks R. Brown  
Brooks R. Brown (SBN 250724)  
**GOODWIN PROCTER LLP**  
10250 Constellation Boulevard  
Los Angeles, CA 90067  
Phone: (310) 788-5100  
Fax: (310) 286-0992  
[bbrown@goodwinprocter.com](mailto:bbrown@goodwinprocter.com)

**[PROPOSED] ORDER**

Pursuant to the Stipulation of counsel and for good cause shown, IT IS HEREBY ORDERED  
that:

1. The hearing on Plaintiffs motion for remand, currently set for September 16, 2009, is  
continued to Wednesday, October 21, 2009 at 9:00 a.m.;
2. Defendants opposition shall now be due on or before September 16, 2009; and
3. Plaintiffs reply shall now be due on or before October 7, 2009.

**IT IS SO ORDERED**

August 20  
Dated: \_\_\_\_\_, 2009

HON. PHYLLIS  
DISTRICT COURT

